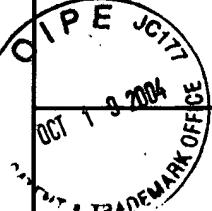


**AMENDMENT TRANSMITTAL LETTER (Small Entity)**

Applicant(s): DAVID B. SMITH ET AL.

Docket No.  
RMS0001-CONSerial No.  
10/731,085Filing Date  
Decembe 10, 2003Examiner  
Not Yet AssignedGroup Art Unit  
2837

Invention: MUSIC PERFORMANCE SYSTEM

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	50 -	15 =	35	x \$9.00	\$315.00
INDEP. CLAIMS	3 -	3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable)		<input type="checkbox"/>			\$0.00
					<b>\$315.00</b>

- No additional fee is required for amendment.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- A check in the amount of \$315.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1390  
A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.

  
Signature

Dated: October 19, 2004

Lawrence D. Eisen  
Registration No. 41,009  
SHAW PITTMAN LLP  
1650 Tysons Boulevard  
McLean, VA 22102

Customer No. 28970

cc:

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

RMS0001-CON

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

DAVID B. SMITH ET AL.

Serial No.: 10/731,085

Filed: December 10, 2003

For: MUSIC PERFORMANCE SYSTEM

Art Unit: 2837

Examiner: Not Yet Assigned

**PRELIMINARY AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to the examination of the above-identified application, please amend the application as follows:

Any fee not covered by a check accompanying this paper and necessary for consideration of this Preliminary Amendment response may be charged to Deposit Account Number 50-1390.

**Amendments to the Specification:** begin on page 2 of this paper.

**Amendments to the Claims:** reflected in the listing of claims that begins on page 3 of this paper.

**Amendments to the Drawings:** None

**Remarks:** begin on page 14 of this paper.

10/20/2004 RFEKADU1 00000013 10731085

01 FC:2202

315.00 OP